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December 26, 2012

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OF COUNSEL

Via Hand Delivery

Ronald Belmont, Supervisor
and Members of the Town Board
Town of Harrison
1 Heineman Place
Harrison, New York 10528

Re: *Westchester Country Club*
99 Biltmore Avenue, Harrison, New York 10580 (the "Subject
Property");
Special Exception Use Permit Amendment

Dear Supervisor Belmont and Members of the Town Board:

We are writing with regard to the Application of the Westchester County Club ("Club") for an Amendment to its Site Plan and Special Exception Permit, which was approved by the Planning Board on December 18, 2012. The Planning Board approved the Club's request to amend its existing Site Plan and Special Exception Use Permit to include a new 2,700 square foot Golf Studio and an approximate 554 square foot accessory "ball hut" building. It also approved the proposed construction of two (2) small structures to be used as reception and valet pavilions. It is our understanding that the Planning Board will be forwarding a copy of its Resolutions of Approval to your Board shortly.

Pursuant to Section 235-14 of the Harrison Zoning Code, we respectfully request that this matter be placed on your Board's next meeting agenda so that the requisite public hearing may be scheduled.

The Club seeks to replace its existing antiquated driving range building with a new, state of the art, training studio adjacent to the driving range along Biltmore Avenue. The 2,700 square foot building would include a golf studio supporting three (3) teaching bays with filming capabilities, as well as office, viewing, and storage space ("Golf Studio"). In connection

with these improvements, the Club also seeks to build an accessory building consisting of a ball hut for distribution of practice balls to users of the driving range, two (2) bathrooms and a changing room ("Ball Hut"). Finally, the Club is proposing to construct two (2) 96 square foot reception and valet pavilions in close proximity to the main building at the Subject Property ("Valet Area").

The Club would construct these features in two (2) phases. It plans to construct the Golf Studio and Valet Area upon obtaining the necessary approvals from the Village/Town. The Club plans to construct the Pavilion later in 2013. Rather than separating your Board's review of the structures related to the driving range improvements, the Club seeks approvals for both the Golf Studio and Ball Hut at this time.

In support of this Application, enclosed please find ten (10) copies and of the following materials:

- Site Plan and Special Exception Use Application Forms;
- Short Form EAF;
- Site Plans (4 Sheets), Prepared by Insite Engineering, dated November 6, 2012; and
- Floor Plans and Elevations, Prepared by Kenneth R. Nadler Consultants, dated November 6, 2012.

We look forward to appearing before your Board on January 3, 2012 to review these plans and schedule the requisite Public Hearing. In the meantime, if your Board has any questions, or requires any further information, please do not hesitate to contact us.

We appreciate your Board's time and attention to this matter.

Respectfully submitted,

ZARIN & STEINMETZ

By: 

David S. Steinmetz
David J. Cooper

cc: *via email*
Robert James, Executive Director, Westchester Country Club
Mr. Steven Bliss
Scott Blakely, P.E.
Patrick Cleary, AICP, Town Planner

part of E-3

**PLANNING BOARD RESOLUTION PB2012/72
DECEMBER 18, 2012**

**SPECIAL EXCEPTION USE RESOLUTION APPROVAL FOR
GOLF STUDIO
LOCATED AT 99 BILTMORE AVENUE, KNOWN AND DESIGNATED AS
BLOCK 566, LOT 1**

WHEREAS, Westchester Country Club (hereinafter referred to as "The Applicant") has submitted a Special Exception Use application for property located at 99 Biltmore Avenue, more specifically known and designated as Block 566 Lot 1; and

WHEREAS, the project involves the construction of a new golf studio and the construction of a new valet parking pavilion and reception pavilion, along with associated site improvements; and

WHEREAS, the subject site is located within the R-1 Residential Zoning District; and

WHEREAS, Westchester Country Club is considered a Special Exception Use in the R-1 Zoning District; and

WHEREAS, the proposed project has been classified as an Unlisted Action.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provision of Section 235-14E, the Planning Board finds that the proposal:

1. Will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood. The proposal is not inconsistent with the Master Plan.
2. The disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by either the neighborhood or the Town by authorizing this Special Exception Use Permit.
3. To the extent that the Town has authority to address applicable issues, the health, safety, welfare, comfort, convenience, and order of the Town will not be adversely affected by the use.
4. Such use will be in harmony with, and promote the general purpose and intent of the Special Exception Use provisions established in the Zoning Ordinance.

BE IT FURTHER RESOLVED, that the proposed project complies with Special Exception Use General Considerations established in Section 235-16 of the Zoning Ordinance as follows:

1. The improvements proposed by the Applicant are located on the grounds of an existing country club. As such, the site represents a particularly suitable location for such use within the community.
2. The plot area is sufficient, appropriate and adequate for the proposed use. The proposed building expansion will occur well within all applicable setback requirements.
3. The proposed project is not located unsuitably near a place of public assembly.
4. No change to existing access facilities is proposed.
5. No change to existing curb cuts is proposed.
6. Emergency access has been adequately addressed.
7. No special setbacks are necessary.
10. The provision of public recreational areas is not required on this site, which is a private recreational facility.
11. The proposed improvements will have no impact on the site's existing stormwater management system. No impacts are anticipated.
12. The project will not result in any increase in the site's demand on municipal services.
13. The project will not generate excessive amounts of dirt, refuse or any other type of environmental pollution, including vibration, noise, electrical discharges, odors, smoke or irritants.
14. The hours of operation of this facility will not require regulation.
15. No special conditions and safeguards apply to this use.

BE IT FURTHER RESOLVED, that this resolution shall have an effective date of December 18, 2012.

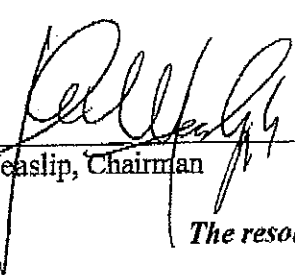
On the motion of Raymond A. Kraus, seconded by Mark Rinaldi, it was adopted by the following vote:

AYES: Thomas Heaslip, Anthony Spano, Mark Rinaldi, Raymond A. Kraus, Nonie Reich, and Kate Barnwell

NAYS: None

ABSTAINED: None

ABSENT: Marshall Donat


Thomas Heaslip, Chairman

The resolution was thereupon duly adopted.

RECEIVED

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TOWN CLERK
HARRISBURG, N.Y.